

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action dated October 24, 2005. This Amendment is being provided within the three month period for response extending to January 24, 2006. The current status of the claims is as follows:

- 5 • Claims 1, 11, 22, and 29 are currently amended.
- Claims 2, 12, and 26-28 are cancelled.
- Claims 1, 3-11, 13-25, and 29-31 are pending in the application after entry
 of the present Amendment.

10 **Allowable Subject Matter**

The Applicant acknowledges the Office's indication that claims 1, 11, 22, and 29 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph. The Applicant further acknowledges the Office's indication that claims 3-10, 13-21, 23, 24, 30, and 31 would be allowable if rewritten to overcome the
15 rejections under 35 U.S.C. 112, second paragraph, and to include all limitation of their respective base claim and any intervening claims.

Rejections under 35 U.S.C. 112

Claims 1, 11, 22, and 29 were rejected under 35 U.S.C. 112, second paragraph, as
20 being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These rejections are traversed.

With regard to claims 1 and 11, the phrase "... at a moment said snapshot is taken ..."
... has been amended to "... at the moment said snapshot is taken." With regard to claims
22 and 29, the phrase "... at a moment said state of said live object is taken ..."
25 amended to "... at the moment said state of said live object is taken." In view of the

foregoing amendments, the Applicant submits that each of claims 1, 11, 22, and 29 is definite under 35 U.S.C. 112.

The Office has indicated that claims 3-10, 13-21, 23, 24, 30, and 31 are rejected under 35 U.S.C. 112, second paragraph, on the same basis as their respective independent claim. The Applicant submits that the above-described amendments to independent claims 1, 11, 22, and 29 addresses the outstanding 35 U.S.C. 112 issues with dependent claims 3-10, 13-21, 23, 24, 30, and 31. The Applicant submits that each of dependent claims 3-10, 13-21, 23, 24, 30, and 31 is allowable for at least the reasons provided for its independent claim.

In view of the foregoing, the Applicant requests that the Office withdraw the rejections of claims 1, 3-11, 13-25, and 29-31. The Applicant submits that all of the pending claims are in condition for allowance. Therefore, a Notice of Allowance is requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 774-6914. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP043C). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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